In the High Court for the States of Punjab and Haryana, at Chandigarh.

C.W.P.No. 4859 of 2006
Decided on Nov 09,2006.

Uttam Singh and another --Petitioners

vs.

The Haryana Financial Corporation and others --Respondents.

Coram: Hon'ble Mr.Justice Jasbir Singh
Hon'ble Mr.Justice Pritam Pal

Present: Mr. R.S.Mittal,Sr,Advocate, with
Mr.Sudhir Mittal, Advocate,for the petitioners

Mr.Puneet Gupta,Advocate,for respondents

Jasbir Singh J:(Oral)

By filing this writ petition, it has been prayed by the petitioners that premises belonging to the petitioners, be not sold, to discharge liability of respondent No.3. It is not in dispute that the petitioners had mortgaged the property, in dispute, to secure the loan amount, advanced by respondent No.1 in favour of respondent No.3. It is contention of counsel for the petitioners that provisions of Section 29 of the State Financial Act, 1951, cannot be invoked against the guarantors. In view of the Full Bench Judgment of this Court in Paramjit Singh Ahuja vs. Punjab State Financial Industrial Development Corporation Limited and others ,rendered in C.W.P. No.5397 of 2003, argument raised is liable to

be rejected. Vide judgment referred to above, it has been held that State Financial Corporation, can invoke provisions of Section 29 of the Act, against the guarantors.

Dismissed.

(Jasbir Singh)
Judge

Nov 09,2006,
RR

(Pritam Pal)
Judge